HUMAN SERVICES DEPARTMENT[441]

Adopted and Filed

Pursuant to the authority of Iowa Code section 234.6, the Department of Human Services amends Chapter 58, "Emergency Assistance," Iowa Administrative Code.

These amendments implement the Iowans Helping Iowans Unmet Needs Disaster Assistance Program for the counties identified by the President's Major Disaster Declaration for Individual Assistance, FEMA-1930-DR. The program is intended to address disaster-related expenses that cannot be met by other financial assistance. Funding for the program is established by the Governor of Iowa through the Iowans Helping Iowans Program.

The program provides assistance for repair or replacement of personal property, home repair, food assistance, child care, and temporary housing to households whose income is less than 300 percent of the federal poverty guidelines. The amount of assistance available to a household is capped at $2,500. The program will end when funds are exhausted or on June 30, 2011, whichever occurs first.

The Rebuild Iowa Office has distributed the available funding among the designated counties in proportion to the number of applications from each county for aid from the Federal Emergency Management Agency. The program is administered through a local administrative entity designated by the county board of supervisors in each of the affected counties. The local administrative entity must enter into a contract with the Department that delineates the entity's responsibilities for the administration of the program.

The local administrative entity receives applications from households, determines each household's eligibility, and disburses the funds allocated to the county through direct reimbursement of documented expenses or issuance of vouchers for purchase of approved goods or services. The local administrative entity may keep up to 5 percent of the amount of benefits issued as administrative expense. The local administrative entity is required to submit weekly reports on program expenditures and to return any unused funds from its allocation when the program ends.

These amendments do not provide for waivers in specified situations. Requests for the waiver of any rule may be submitted under the Department's general rule on exceptions at 441—1.8(17A,217).

These amendments were also Adopted and Filed Emergency and published in the Iowa Administrative Bulletin on October 6, 2010, as **ARC 9130B**. Notice of Intended Action to solicit comment on these amendments was published on the same date as **ARC 9131B**. The Department received no comments during the designated comment period.

The Department has changed the amendments as published in the Notice of Intended Action. The second sentence of the introductory paragraph of rule 441—58.52(234) has been revised to read as follows: "This program is available for households affected by natural disasters in those areas identified by the President's Major Disaster Declaration for Individual Assistance, FEMA-1930-DR."

In addition, "will" has been changed to "shall" in the second sentence of subrule 58.54(4). The sentence now reads as follows: "This program shall not reimburse the amount of the insurance deductible when the claim exceeds the deductible amount."

The Council on Human Services adopted these amendments on December 8, 2010.

These amendments are intended to implement Iowa Code section 234.6.

These amendments shall become effective on February 2, 2011, at which time the Adopted and Filed Emergency amendments shall be rescinded.

EDITOR'S NOTE: Pursuant to recommendation of the Administrative Rules Review Committee published in the Iowa Administrative Bulletin, September 10, 1986, the text of these amendments [58.51 to 58.58] is being omitted. With the exception of the changes noted above, these amendments are identical to those published under Notice as **ARC 9131B** and Adopted and Filed Emergency as **ARC 9130B**, IAB 10/6/10.

[Filed 12/8/10, effective 2/2/11]
[Published 12/29/10]
[For replacement pages for IAC, see IAC Supplement 12/29/10.]